

**AGENDA**



**Recommendation for Council Action**

Austin City Council	<b>Item ID</b>	54962	<b>Agenda Number</b>	50.
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<b>Meeting Date:</b>	2/25/2016	<b>Department:</b>	Planning and Zoning
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**Subject**

Set public hearings for the full purpose annexation of the Cascades Municipal Utility District No. 1 annexation area (approximately 136 acres in southern Travis County east of IH 35 South approximately four tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway; Council District 5). (Suggested dates and times: March 31, 2016 at 4:00 p.m. and April 7, 2016 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, Texas.)

**Amount and Source of Funding**

**Fiscal Note**

<b>Purchasing Language:</b>	
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**Prior Council Action:**  
 August 7, 2014 – Council consented to the creation of the Cascades Municipal Utility District (MUD) No. 1 and conducted the first public hearing regarding a Strategic Partnership Agreement (SPA) between the City and the MUD, and limited purpose annexation, and future full purpose annexation  
 August 28, 2014 – Council conducted the second public hearing regarding a Strategic Partnership Agreement between the City and the MUD and limited purpose annexation and future full purpose annexation; approved a resolution authorizing execution of a SPA; and approved an ordinance to annex the MUD for limited purposes.

**For More Information:**  
 Virginia Collier, Planning and Development Review Department, (512) 974-2022.

**Council Committee, Boards and Commission Action:**

**MBE / WBE:**

**Related Items:**

**Additional Backup Information**

The Cascades Municipal Utility District No. 1 (“MUD”) annexation area (approximately 136 acres) is located in southern Travis County east of IH 35 South approximately four tenths of a mile south of the intersection IH 35 South and Onion Creek Parkway. This area is currently in the City’s limited purpose jurisdiction and is adjacent to the City’s full purpose jurisdiction on the north sides of the tracts. This area is currently undeveloped and subject to a Consent Agreement (“Agreement”) and a Strategic Partnership Agreement (“SPA”) between the City and Onion Associates, Ltd. (“Developer”) and the MUD.

The Developer has been in default of the Agreement for a little over one year, approximately the same amount of time the MUD has been in existence. The Developer has not responded to multiple requests for payment or other requests that would allow the Developer to cure or remedy the default. City staff is not aware of any MUD assets, obligations, indebtedness, or liabilities that the City would assume upon dissolution of the MUD. In accordance with the provisions of Section 11.06 (c) of the Agreement, City remedies include the right, in the City’s sole discretion, to terminate the Agreement and proceed with full purpose annexation of the MUD.

Staff recommends Council approve an ordinance that will terminate the Agreement and bring the area into the City's full purpose jurisdiction in accordance with the provisions of Section 11.06 (c) of the Agreement.